

---

The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by J. W. Wiley.

---

CONFERENCE COMMITTEE REPORT DIGEST

Senate Bill No. 261 by Senator Donahue

**Keyword and summary of the bill as proposed by the Conference Committee**

STATE AGENCIES. Provides for streamlining state government. (gov sig)

**Report adopts House amendments to:**

1. Remove the secretary of DHH, or his designee; the secretary of DNR, or his designee; and the executive director of the La. Workforce Commission or his designee from the commission.
2. Remove specific language regarding the number of members of the commission and the number necessary to constitute a quorum.
3. Remove "officer or other person" from the definition of "agency" and specifically excludes any public institution of postsecondary education, any postsecondary education governing or management board, or any entity under the control of a public institution of postsecondary education or postsecondary education governing or management board from the definition of "agency" for purposes of proposed law.
4. Remove provision requiring that the individual appointed by the speaker of House be subject to Senate confirmation.
5. Add that the names of persons who are to serve on the commission shall be submitted to the President of the Senate on or before July 15, 2009. The President of the Senate shall call the first meeting of the commission to be held on or before July 30, 2009. At the first meeting, the members shall elect from their membership a chairman, vice chairman, and such other officers as advisable. The President of the Senate or his designee shall preside over the commission until a chairman is elected.

**Report rejects House amendments which would have:**

1. Added under the purpose and findings that while many agencies are facing staff reductions in the fiscal year 2009 budget, the Dept. of Economic Development has

maintained its existing staff levels. Further would have added that the Dept. of Economic Development is prohibited from increasing its staff through the use of contract labor.

### **Digest of the bill as proposed by the Conference Committee**

Proposed law establishes the Commission on Streamlining Government to examine each agency's constitutional and statutory activities, functions, programs, services, powers, duties, and responsibilities, and to determine which of these activities, functions, programs, services, powers, duties, and responsibilities can be (1) eliminated, (2) streamlined, (3) consolidated, (4) privatized, or (5) outsourced in an effort to reduce the size of state government.

Proposed law provides that the commission is to target agencies whose activities, functions, programs, or services can be consolidated or eliminated, in addition to identifying opportunities for privatizing and outsourcing current state activities, functions, programs, or services.

Proposed law provides that the commission is to examine the necessity and performance of activities, functions, programs, and services in order to ensure that they are meeting current performance standards effectively and efficiently, and that they are meeting the needs of La. citizens.

Proposed law provides that the commission will be composed as follows:

- (1) The commissioner of administration, or the commissioner's designee.
- (2) The speaker of the House of Representatives, or the speaker's designee.
- (3) The president of the Senate, or the president's designee.
- (4) The state treasurer, or the treasurer's designee.
- (5) The chairman of the House Committee on Appropriations, or the chairman's designee.
- (6) The chairman of the Senate Committee on Finance, or the chairman's designee.
- (7) Two individuals engaged in private enterprise, appointed by the governor subject to Senate confirmation.
- (8) One individual engaged in private enterprise, appointed by the speaker of the House of Representatives.
- (9) One individual selected from a list of three individuals nominated by the AFL/CIO, and appointed by the president of the Senate subject to Senate confirmation.

Proposed law provides that the commission may hold public hearings as part of its evaluation process, and may appoint advisory groups to conduct studies, research or analyses, and make reports and recommendations. Proposed law provides that at least one member of the commission will serve on each advisory group.

Proposed law provides that the names of persons who are to serve on the commission shall be submitted to the President of the Senate on or before July 15, 2009. The President of the Senate shall call the first meeting of the commission to be held on or before July 30, 2009. At the first meeting, the members shall elect from their membership a chairman, vice chairman, and such other officers as advisable. The President of the Senate or his designee shall preside over the commission until a chairman is elected.

Proposed law provides that reports submitted by the commission may include any of the following:

- (1) Recommendations to eliminate, streamline, consolidate, privatize, or outsource agency activities, functions, programs, services, powers, duties, and responsibilities to provide the same or greater type and quality of activity, function, program, or service that will result in cost reduction or greater efficiency or effectiveness.
- (2) Recommendations to ensure that agency activities, functions, programs, and services are necessary, meeting or exceeding performance standards, and meeting the needs of La. citizens.
- (3) Recommendations for the elimination, consolidation, privatization, or outsourcing of an agency to provide a more cost efficient or more effective manner of providing an activity, function, program, or service.
- (4) Recommendations providing for the use of alternative resources to the operation of agencies, activities, functions, programs, and services to provide a more cost-effective manner without impacting the quality or availability of needed services.
- (5) Recommendations for standards, processes, and guidelines for agencies to use in order to review and evaluate government activities, functions, programs, and services to eliminate, streamline, consolidate, privatize, or outsource.

Proposed law requires the commission to submit an initial report of its recommendations, including recommendations requiring legislation or administrative action, to the governor, the Senate president, the House speaker, the Senate and Governmental Affairs Committee, the House and Governmental Affairs Committee, and the commissioner of administration, no later than 12/15/09. Proposed law requires that the commission prepare the recommendations in the report as a reorganization plan and submit the plan to the Senate and Governmental Affairs Committee and the House and Governmental Affairs Committee for consideration by 1/4/10. Proposed law provides that the committees, meeting as a joint committee, shall review the reorganization plan by 2/1/10, and may recommend adoption of the plan with such additions, deletions, or

modifications to the plan as the two committees meeting jointly deem necessary.

Proposed law requires that legislative and executive action necessary to implement the approved reorganization plan be taken by as soon as possible.

Proposed law requires the commission to provide a report annually before January 1<sup>st</sup> consisting of the status and implementation of the reorganization plan approved by the Senate and Governmental Affairs Committee and the House and Governmental Affairs Committee to the governor, the Senate president, the House speaker, the Senate and Governmental Affairs Committee, the House and Governmental Affairs Committee, and the commissioner of administration.

Proposed law provides that the staffs of the Senate, House of Representatives, Legislative Fiscal Office, Legislative Auditor, office of the governor, and division of administration may provide staff support and otherwise assist the commission as requested by the commission. Further provides that the commission may submit a written request for specific support and assistance from the staff of the above agencies.

Proposed law requires each agency and political subdivision to furnish aid, services, and assistance as may be requested by the commission. Proposed law requires, to the extent permitted by the public records law, that each officer, agency, and political subdivision make available all facts, records, information, and data requested by the commission, and in all ways cooperate with the commission in carrying out the functions and duties imposed by proposed law.

Proposed law authorizes the commission to apply for, contract for, receive, and expend for the purpose of proposed law any appropriation or grant from the state, its political subdivisions, the federal government, or any other public or private source. Proposed law further provides that the books and records of the commission are subject to audit by the legislative auditor.

Proposed law provides that proposed law will not be deemed to supercede or limit present law regarding the review and re-creation of state agencies.

Proposed law will become null and of no effect on 1/12/12.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 24:101-109)